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03500.013000

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
YOSHIHIRO ISHIDA ET AL.)
Application No.: 09/164,624)
Filed: October 1, 1998)
For: MONITORING SYSTEM)
APPARATUS AND)
PROCESSING METHOD)
(As Amended) : January 3, 2005

Examiner: L. Ye
Group Art Unit: 2612

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicant requests a refund of \$130.00 for a petitions fee, which was erroneously charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On July 2, 2004, Applicants filed a Request for Continued Examination (RCE) and Preliminary Amendment, along with the appropriate filing fees. No additional fees were due at that time. (A copy of the RCE, Preliminary Amendment, and return receipt postcard acknowledging receipt of those documents is attached.)

The Patent Office's Monthly Statement of Deposit Account, dated November, 2004 (copy attached), indicates that Deposit Account No. 06-1205 was

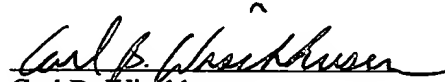
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charged a petition fee of \$130.00. Therefore, Applicants respectfully submit that a refund of \$130.00 is due.

Accordingly, Applicants hereby request a refund and authorize the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$130.00, to resolve this matter.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our New York office at the below listed address.

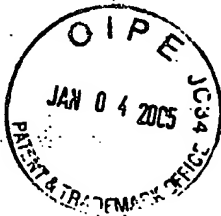
Respectfully submitted,



Carl B. Wischhusen
Attorney for Applicants
Registration No. 43,279

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
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NY_MAIN 471105v1



Hail Stop RCE
Commissioner for Patents

P.O. Box 1450
Alexandria, VA 22313-1450

Date 7 / 2 / 04
Mo. Day Yr.

Atty. Docket 03500 013000

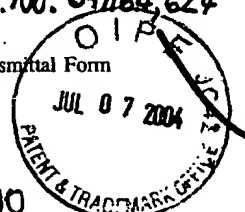
Appln. No. 09/64,624

Sir:

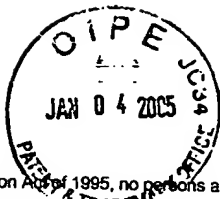
Kindly acknowledge receipt of the accompanying:

- ☐ Specifications, claims and abstract _____ pages, with Transmittal Form
- ☐ Patent Application Bibliographic Data Sheet _____ sheets
- ☐ Executed Oath or Declaration and Power of Attorney
- ☐ _____ Sheets of _____ formal _____ informal drawings
- ☒ Check for \$ 86.00 (filing fee)
- ☒ Request for Continued Examination and Check for \$ 770.00
- ☐ Assignment, PTO-1595 and Check for \$ _____
- ☐ Transmittal Under 37 CFR 1.53(d) (CPA)
- ☐ Petition under 37 CFR 1.136 and check for \$ _____
- ☒ Other (specify) Preliminary Amendment, IDS (Office Action & 3 requests)
- by placing your receiving date stamp hereon and mailing or returning to deliverer.

This is a ☐ Continuation ☐ Divisional ☐ Continuation-In-Part 37 CFR 1.8 ☒
Atty. LPD/CBW/beg Due Date 7 / 2 / 04 37 CFR 1.10 ☐
Mo. Day Yr. By Hand ☐



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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/164,624
Filing Date	October 1, 1998
First Named Inventor	YOSHIHIRO ISHIDA ET AL.
Group Art Unit	2612
Examiner Name	Lin Ye
Attorney Docket Number	03500.013000.

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 770.00 is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

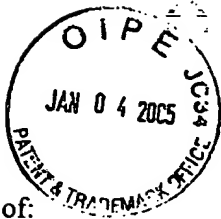
Name (Print/Type)	LEONARD P. DIANA	Registration No. (Attorney/Agent)	29,296
Signature		Date	JULY 2, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)	LEONARD P. DIANA	Date	JULY 2, 2004
Signature			

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In re Application of:

Docket No.: 03500.013000.

YOSHIHIRO ISHIDA ET AL.

Appln. No.: 09/164,624

Examiner: Lin Ye

Filed: October 1, 1998

Group Art Unit: 2612

For: MONITORING SYSTEM APPARATUS
AND PROCESSING METHOD (As Amended)

Date: July 2, 2004

Mail Stop RCE
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

☐ No additional fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	* 18	MINUS	** 20	= 0	x \$9 \$18	\$0.00
INDEP. CLAIMS	* 4	MINUS	*** 3	= 1	x \$43 \$86	\$86.00
Fee for Multiple Dependent claims \$145°/\$290						\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$86.00

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.

☒ A check in the amount of \$86.00 is enclosed.

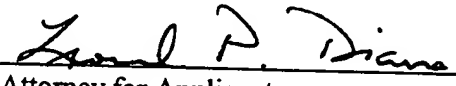
☐ Charge \$___ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.

☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Patent and Trademark Office is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate copy of this paper is enclosed.

☐ A check in the amount of \$___ to cover the Extension fee for response with a ___-month extension is enclosed.

☐ A check in the amount of \$___ to cover the Information Disclosure Statement fee is enclosed.

☒ Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100 or by facsimile at (212) 218-2200. All correspondence should continue to be directed to our address given below.



Attorney for Applicant
Leonard P. Diana
Reg. No.: 29,296

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30 Rockefeller Plaza
New York, New York 10132-3801

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03500.013000.

PATENT APPLICATION

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In re Application of:)
YOSHIHIRO ISHIDA ET AL.)
Appl. No.: 09/164,624)
Filed: October 1, 1998)
For: MONITORING SYSTEM)
APPARATUS AND PROCESSING :
METHOD (As Amended))
Examiner: Lin Ye
Group Art Unit: 2612
July 2, 2004

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Prior to continued examination on the merits, a Request for Continued Examination (RCE) being filed herewith, Applicants respectfully request that the above-identified application be amended as follows. The claim amendments are reflected in the listing that begins at page 2. The Remarks begin at page 7.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 2, 2004
(Date of Deposit)

LEONARD P. DIANA (Reg. No. 29,296)
(Name of Attorney for Applicants)

Signature

July 2, 2004
Date of Signature

IN THE CLAIMS:

The following is a complete listing of the claims in this application, reflects all changes currently being made to the claims, and replaces all earlier versions and all earlier listings of the claims:

1. - 23. (Cancelled)

24. (Previously Presented) An image processing apparatus comprising:
an input unit adapted to input image data;

a reception unit adapted to receive information of a size of an object or a distance to the object, for detecting a desired object, from an external apparatus that is not part of said image processing apparatus, via a communication interface;

a detection unit adapted to detect the desired object corresponding to the information received by said reception unit, from the image data input by said input unit;
and

a transmission unit adapted, in a case in which said detection unit detects the desired object, to transmit information reflecting detection of the desired object to the external apparatus via the communication interface.

25. (Previously Presented) An apparatus according to claim 24, wherein said input unit comprises an image pickup unit adapted to pick up the object image through an optical system.

26. (Previously Presented) An apparatus according to claim 25, wherein the image pickup unit comprises a focus control unit adapted to control focusing of the optical system, and said detection unit detects the object according to focus control information generated by the focus control unit.

27. (Previously Presented) An apparatus according to claim 26, wherein the image pickup unit comprises a zoom control unit adapted to control zooming of the optical system, and said detection unit detects the object according to zoom control information generated by the zoom control unit.

28. (Previously Presented) An apparatus according to claim 24, wherein said detection unit detects the object according to a difference value between pictures.

29. (Previously Presented) An apparatus according to claim 28, wherein said detection unit binarizes the difference value by using a predetermined threshold and detects the object according to a binarization result.

30. (Previously Presented) An apparatus according to claim 26, wherein said image processing apparatus is used in a monitoring camera system.

31. (Previously Presented) An image processing method comprising the steps of:

inputting image data;

receiving information of a size of an object or a distance to the object, for detecting a desired object from an external apparatus that is not part of said image processing apparatus, via a communication interface;

detecting the desired object corresponding to the information received in the receiving step, from the image data; and

transmitting, in a case in which the desired object is detected in said detecting step, information reflecting detection of the desired object to the external apparatus via the communication interface.

32. (Previously Presented) A method according to claim 31, wherein said inputting step comprises picking up the object image through an optical system.

33. (Previously Presented) A method according to claim 32, wherein the step of picking up the object image comprises controlling a focus of the optical system, and said detecting step includes detecting the object according to focus control information of the step of controlling the focus.

34. (Previously Presented) A method according to claim 33, wherein the step of picking up the object image comprises controlling zooming of the optical system, and said detecting step includes detecting the object according to zoom control information of the step of controlling zooming of the optical system.

35. (Previously Presented) A method according to claim 31, wherein said detecting step includes detecting the object according to a difference value between pictures.

36. (Previously Presented) A method according to claim 35, wherein said detecting step includes binarizing the difference value by using a predetermined threshold and detecting the object according to a binarization result.

37. (New) A terminal apparatus comprising;
an input unit adapted to input image data;
a reception unit adapted to receive information of a size of an object or a distance to the object, for detecting a desired object, from an external apparatus that is not part of said image processing apparatus, via a communication interface,
a detection unit adapted to detect the desired object corresponding to the information received by said reception unit, from the image data input by said input unit;
and
a transmission unit adapted to, in case that said detecting means detects the desired object, transmit information reflecting detection of the desired object to an other external apparatus via the communication interface.

38. (New) An apparatus according to claim 37, wherein said input unit comprises an image pickup unit adapted to pick up the object image through an optical system.

39. (New) An apparatus according claim 38, wherein said image pickup unit comprises a focus control unit adapted to control focusing of the optical system, and said detection unit detects the object according to focus control information generated by said focus control unit.

40. (New) An apparatus according to claim 39, wherein said image pickup unit comprises a zoom control unit adapted to control zooming of the optical system, and said detection unit detects the object according to zoom control information generated by said zoom control unit.

41. (New) A control method of a terminal apparatus, comprising the steps of:

inputting image data;

receiving information of a size of an object or a distance to the object, for detecting a desired object, from an external apparatus that is not part of said image processing apparatus, via a communication interface;

detecting the desired object corresponding to the receiving information receiving by said receiving means, from the image data; and

transmitting, in a case in which the desired object is detected in said detecting step, information reflecting detection of the desired object to an other external apparatus via said communication interface.

REMARKS

Claims 24-41 are presented for examination. Claims 37-41 have been added to provide Applicants with a more complete scope of protection. Claims 24, 31, 37 and 41 are in independent form. Favorable reconsideration is requested.

Applicants note with appreciation the allowance of Claims 24-36.

New Claims 37-41, generally speaking, are intended to cover a terminal apparatus and a method of controlling a terminal apparatus. These claims recite features similar to those in allowed Claim 24-36 and therefore are also believed to be patentable for the reasons noted by the Examiner at page 2 of the Notice of Allowability mailed April 2, 2004.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable further consideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicant

Leonard P. Diana

Registration No.: 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
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State: NY
Zip: 10112-3801

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11/03	1113	78510476	945.10758	7001	\$335.00	\$32,280.00
11/04	1	76549066	03057.000800	7402	\$300.00	\$31,980.00
11/04	2	10412394	00684.003477	1201	\$88.00	\$31,892.00
11/04	2	09164624	35.C13000	1460	\$130.00	\$31,762.00
11/04	13	75915902	2863.2000	8521	\$40.00	\$31,722.00
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11/04	1392	75915902	02863.002000.	7004	\$450.00	\$30,602.00
11/05	1	10315266	01873.000055	2201	\$88.00	\$30,514.00
11/05	3	10216740	03500.016648	1253	\$980.00	\$29,534.00
11/05	3	10217445	00366.000164	1811	\$100.00	\$29,434.00
11/05	18	78511336	945.10762	7001	\$335.00	\$29,099.00
11/05	53	10367805	03500.017031	1460	\$130.00	\$28,969.00
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11/05	155	09805877	169.1644	1251	\$110.00	\$28,069.00
11/05	1347	78512067	945.8594C	7001	\$335.00	\$27,734.00



03500.013000.

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YOSHIHIRO ISHIDA ET AL.

Application No.: 09/164,624

Filed: October 1, 1998

For: MONITORING SYSTEM
APPARATUS AND PROCESSING
METHOD

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: Examiner: Lin Ye

)
: Group Art Unit: 2612

)
: Confirmation No.: 6892

)
: May 10, 2004

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Technology Center 2600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed documents are also enclosed, together with a copy of a Japanese Official Action citing them, and a translation of that Action.

For the concise explanation of relevance for the non-English documents, the Examiner is referred to the accompanying English abstracts.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 10, 2004
(Date of Deposit)

CARL B. WISCHHUSEN (Reg. No. 43,279)
(Name of Attorney for Applicant)

Carl B. Wischhusen
Signature

May 10, 2004
Date of Signature

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